



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSH WEBBER, et al.,

Plaintiffs,

- against -

DAMON ANTHONY DASH, et al.,

Defendants. :  
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19-CV-610 (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

1. This order resolves Plaintiff's motion for termination sanctions and legal fees (Dkt. 193) and Defendant Dash's response to the motion (Dkt. 196). Dash's assertion of confidentiality in response to the deposition questions posed to him regarding transfer of assets was improper; even assuming any information sought was confidential to third parties (a dubious proposition), the proper course would have been to designate as confidential in this case that portion of the testimony. That said, termination sanctions and a fee award are not commensurate to the transgression. The asset transfer issue is not relevant to the merits of the case. In the event that Plaintiffs obtain a judgment awarding damages in their favor and Defendant does not satisfy it, Plaintiff may pursue discovery of asset transfers as part of discovery to enforce the judgment.

2. Discovery is now closed. Plaintiffs shall file their motions for summary judgment, bearing in mind prior summary judgment decisions in this matter. Plaintiffs indicated on March 16, 2021 (Dkt. 192) that they would file their motions by March 31, 2021. Defendants shall file their opposition by May 3, 2021, and any Reply shall be filed by May 17, 2021. These dates may be modified by agreement of the parties.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
March 30, 2021

Copies transmitted this date to all counsel of record.